

Appl. No. 10/827,118
Amdt. dated October 14, 2005
Reply to Office action of July 14, 2005

Remarks/Arguments

1. Amendments to the Specification

In the Office action, the disclosure was objected to for requiring an update on the status of several commonly owned applications referred to in the disclosure. To that end, Applicants have amended the specification to reflect the current status of said commonly owned applications. No prior art necessitated these amendments and no new subject matter has been introduced by these amendments.

2. Amendments to the Claims

In the Office Action, claim 1, 14, and 23, were rejected pursuant to 35 USC section 102(b) as allegedly being anticipated by United States Patent 6,334,960 to Willson et al. [hereinafter referred to as Willson]. To summarize the standard, rejections under section 102 are proper only when one prior art reference discloses every feature of the claimed invention so that there is no physical difference between the reference and the claimed invention. See *In re Marshall*, 198 USPQ 44 (CCPA 1978). In addition, inchoate in any rejection pursuant to 35 USC section 102 is an obviousness rejection pursuant to 35 USC section 103. As a result, Applicants address any inchoate obviousness rejections along with the rejections under 35 USC section 102.

a. Claim 1

Claim 1, as amended, defines a method of forming a pattern on a plate employing a mold and actinic radiation, the method including, *inter alia*, placing the plate, having a coupling layer positioned thereon, in superimposition with the mold; positioning formable material between the plate and the mold, the formable material polymerizable in response to the actinic radiation;

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contacting the formable material with the plate to form the pattern in the formable material to have a shape complementary to the mold; and adhering the formable material to the coupling layer of the plate by passing the actinic radiation through the coupling layer to impinge upon the formable material.

Willson does not teach passing radiation through a layer positioned on a body, with the radiation adhering a formable material to the layer, as claimed. Rather Willson teaches passing radiation through a body and a layer positioned thereon, wherein the layer facilitates release of the body from the formable material [recited as solid polymeric material in Willson]. More specifically, Willson teaches passing radiation thru a body that is transparent to allow exposure of the radiation to a polymerizable fluid composition covered by the body. See column 3, lines 52-54. Further, to facilitate release of the mold from a solid polymeric material formed from the polymerizable fluid composition, the body may be treated with a surface modifying agent, i.e., a release layer. See column 3, lines 59-61. Willson has no mention of adhering the formable material to the layer, much less passing radiation thru the layer to adhere the formable material to the layer, as described by Applicants' claimed invention. As a result, Willson does not direct his invention to passing radiation through a layer positioned on a body, with the radiation adhering a formable material to the layer.

Furthermore, it becomes evident that Willson teaches away from Applicants' claimed invention of adhering the formable material to the layer by advocating release of the formable material from the body, and as a result, release of the formable material from the layer. See column 3, 59-61. Moreover, were Willson modified

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to include Applicants' claimed invention, Willson would not be able to achieve release of the formable material from the body, as desired by Willson.

Based upon the foregoing, Applicants respectfully contend that Willson does not anticipate the invention defined by claim 1, as amended, and a *prima facie* case of obviousness is not present with respect to claim 1, as amended.

b. Claim 14

Claim 14, as amended, defines a method of forming a pattern on a plate employing a mold and actinic radiation, the method including, *inter alia*, placing the plate, having a coupling layer positioned thereon, in superimposition with the mold; positioning formable material between the plate and the mold, the formable material polymerizable in response to the actinic radiation; contacting the formable material with the plate to form the pattern in the formable material to have a shape complementary to the mold; and solidifying the formable material, defining patterned material, while adhering the formable material to the coupling layer of the plate by passing the actinic radiation through the coupling layer and impinging the actinic radiation onto the formable material.

Applicants respectfully contend that the argument set forth above with respect to claim 1 applies with equal weight here and that claim 14 defines an invention suitable for patent protection.

c. Claim 23

Claim 23, as amended, defines a method of forming a pattern on a plate employing a mold and actinic radiation, the method including, *inter alia*, placing the plate, having a coupling layer

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positioned thereon, in superimposition with the mold; depositing formable material on the mold as a plurality of spaced-apart droplets; contacting the formable material with the plate to form the pattern in the formable material to have a shape complementary to the mold; and impinging actinic radiation upon the formable material, defining patterned material, by passing the actinic radiation through the coupling layer to couple the patterned material to the coupling layer of the plate.

Applicants respectfully contend that the argument set forth above with respect to claim 1 applies with equal weight here and that claim 23 defines an invention suitable for patent protection.

3. The Non-obviousness of the Dependent Claims

Considering that the dependent claims include all of the features of the independent claims from which they depend, these claims are patentable to the extent that the independent claims are patentable. Therefore, Applicants respectfully contend that the dependent claims define an invention suitable for patent protection.

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Applicants respectfully request examination in view of the remarks. A notice of allowance is earnestly solicited.

CERTIFICATE OF TRANSMISSION/MAILING
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents.

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Respectfully Submitted,



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